



Surface Transportation Board
Washington, D.C. 20423-0001

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December 16, 2020

The Honorable Mark R. Warner
United States Senate
703 Hart Senate Office Building
Washington, DC 20510

The Honorable Tim Kaine
United States Senate
231 Russell Senate Office Building
Washington, DC 20510

The Honorable Donald S. Beyer Jr.
United States House of Representatives
1119 Longworth House Office Building
Washington, DC 20515-4608

The Honorable Robert Wittman
United States House of Representatives
2055 Rayburn House Office Building
Washington, DC 20515-4601

The Honorable Gerald E. Connolly
United States House of Representatives
2238 Rayburn House Office Building
Washington, DC 20515-4611

The Honorable Jennifer Wexton
United States House of Representatives
1217 Longworth House Office Building
Washington, DC 20515-4610

The Honorable Ben Cline
United States House of Representatives
2443 Rayburn House Office Building
Washington, DC 20515-4606

The Honorable H. Morgan Griffith
United States House of Representatives
2202 Rayburn House Office Building
Washington, DC 20515-4609

The Honorable A. Donald McEachin
United States House of Representatives
314 Cannon House Office Building
Washington, DC 20515-4604

The Honorable Robert C. "Bobby" Scott
United States House of Representatives
2328 Rayburn House Office Building
Washington, DC 20515-4603

Dear Senator Warner, Senator Kaine, Representative Beyer, Representative Wittman, Representative Connolly, Representative Wexton, Representative Cline, Representative Griffith, Representative McEachin, and Representative Scott:

Thank you for your recent letter regarding Commonwealth of Virginia—Acquisition Exemption—Certain Assets of CSX Transportation, Inc., Docket No. FD 36441. We appreciate knowing your support for the proposed acquisition.

As you know, on September 29, 2020, the Commonwealth of Virginia, acting by and through its Department of Rail and Public Transportation (DRPT), filed a petition for exemption to acquire a lateral portion of rail line right-of-way owned by CSX Transportation, Inc., between Washington, DC, and Petersburg, VA. DRPT indicates that there will be a series of capital improvements to the line to create additional freight and passenger rail network capacity, with

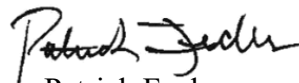
the goal of establishing side-by-side freight and passenger operations on separate, dedicated trackage and related infrastructure. Concurrently, DRPT filed a motion to dismiss the petition, contending that the proposed transaction would not require Board authorization.

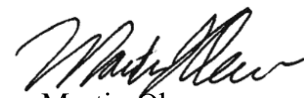
On December 14, 2020, the Board issued a decision granting DRPT's motion to dismiss and finding that, pursuant to Board precedent, no authority from the Board is required for the acquisition. The Board did direct DRPT to file final versions of the Comprehensive Rail Agreement and the Joint Operating and Maintenance Agreement once the documents are finalized.

Again, thank you for taking the time to inform us of your views. Your letter, along with this response, will be entered into the docket. If you or your staff have any questions, please contact us or Lucille Marvin, the Board's Director of the Office of Public Assistance, Governmental Affairs, and Compliance, at (202) 245-0238.

Sincerely,


Ann Begeman
Chairman


Patrick Fuchs
Board Member


Martin Oberman
Vice Chairman